

FREJKA PLLC  
Elise S. Frejka  
Jason S. Rappaport  
733 Third Avenue  
New York, New York 10017  
Telephone: (212) 641-0800

*Attorneys for Lyle Berman Family Partnership, LLP s/h/a The Lyle Berman Family Partnership, Neil Sell, in his capacity as Trustee for the Julie Berman Irrevocable Trust U/TA 8/9/89, the Bradley Berman Irrevocable Trust U/TA 8/9/89, the Jessie Lynn Berman Irrevocable Trust U/TA 8/9/89, and the Amy Berman Irrevocable Trust U/TA 8/9/89, Stanley Taube, Julie Berman Irrevocable Trust U/TA 8/9/89, Bradley Berman Irrevocable Trust U/TA 8/9/89, Jessie Lynn Berman Irrevocable Trust U/TA 8/9/89, and Amy Berman Irrevocable Trust U/TA 8/9/89, each in their capacity as a Partner of The Lyle Berman Family Partnership, Julie Berman, Bradley Berman, Jessie Lynn Berman, and Amy Berman*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,  
v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of  
Bernard L. Madoff Investment Securities LLC,

Plaintiff,  
v.

THE LYLE BERMAN FAMILY PARTNERSHIP,  
NEIL I. SELL, in his capacity as Trustee for the  
Julie Berman Irrevocable Trust U/TA 8/9/89, the  
Bradley Berman Irrevocable Trust U/TA 8/9/89, the  
Jessie Lynn Berman Irrevocable Trust U/TA 8/9/89  
and the Amy Berman Irrevocable Trust U/TA

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-05071 (SMB)

8/9/89, STANLEY TAUBE, in his capacity as Trustee for the Julie Berman Irrevocable Trust U/TA 8/9/89, the Bradley Berman Irrevocable Trust U/TA 8/9/89, the Jessie Lynn Berman Irrevocable Trust U/TA 8/9/89 and the Amy Berman Irrevocable Trust U/TA 8/9/89, JULIE BERMAN IRREVOCABLE TRUST U/TA 8/9/89, in its capacity as Partner of The Lyle Berman Family Partnership, BRADLEY BERMAN IRREVOCABLE TRUST U/TA 8/9/89, in its capacity as Partner of The Lyle Berman Family Partnership, JESSIE LYNN BERMAN IRREVOCABLE TRUST U/TA 8/9/89, in its capacity as Partner of The Lyle Berman Family Partnership, AMY BERMAN IRREVOCABLE TRUST U/TA 8/9/89, in its capacity as Partner of The Lyle Berman Family Partnership, JULIE BERMAN, BRADLEY BERMAN, JESSIE LYNN BERMAN, and AMY BERMAN,

Defendants.

**NOTICE OF SUBSTITUTION OF COUNSEL AND PROPOSED ORDER**

PLEASE TAKE NOTICE that the law firm of Frejka PLLC, 733 Third Avenue, New York, New York 10017, shall be substituted in place of the law firm of Kramer Levin Naftalis & Frankel LLP, 1177 Avenue of the Americas, New York, New York 10036 as counsel of record for Lyle Berman Family Partnership, LLP s/h/a The Lyle Berman Family Partnership, Neil Sell, in his capacity as Trustee for the Julie Berman Irrevocable Trust U/TA 8/9/89, the Bradley Berman Irrevocable Trust U/TA 8/9/89, the Jessie Lynn Berman Irrevocable Trust U/TA 8/9/89, and the Amy Berman Irrevocable Trust U/TA 8/9/89, Stanley Taube, Julie Berman Irrevocable Trust U/TA 8/9/89, Bradley Berman Irrevocable Trust U/TA 8/9/89, Jessie Lynn Berman Irrevocable Trust U/TA 8/9/89, and Amy Berman Irrevocable Trust U/TA 8/9/89, each in their capacity as a Partner of The Lyle Berman Family Partnership, Julie Berman, Bradley Berman, Jessie Lynn Berman, and Amy Berman (the "Defendants") in this adversary proceeding. All notices given or required to be given in this adversary proceeding shall be given to and served upon the following:

FREJKA PLLC  
733 Third Avenue  
New York, New York 10017  
Attn: Elise S. Frejka  
Jason S. Rappaport  
Telephone: (212) 641-0800  
Email: [efrejka@frejka.com](mailto:efrejka@frejka.com)  
[jrappaport@frejka.com](mailto:jrappaport@frejka.com)

PLEASE TAKE FURTHER NOTICE THAT the Defendants have knowledge of and  
consent to this substitution of counsel.

Dated: New York, New York  
March 23, 2015

KRAMER LEVIN NAFTALIS &  
FRANKEL LLP

By: /s/ Philip Bentley

Philip Bentley  
1177 Avenue of the Americas  
New York, New York 10036  
Telephone: (212) 715-9100  
Facsimile: (212) 715-8000

Dated: New York, New York  
March \_\_\_, 2015

Dated: New York, New York  
March 23, 2015

FREJKA PLLC

By: /s/ Elise S. Frejka

Elise S. Frejka  
Jason S. Rappaport  
733 Third Avenue  
New York, New York 10017  
Telephone: (212) 641-0800

SO ORDERED:

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HON. STUART M. BERNSTEIN  
UNITED STATES BANKRUPTCY JUDGE

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

v.  
Plaintiff,

BERNARD L. MADOFF INVESTMENT SECURITIES  
LLC,

Defendant.

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In re:

BERNARD L. MADOFF,

Debtor.

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IRVING H. PICARD, Trustee for the Liquidation of  
Bernard L. Madoff Investment Securities LLC,

v.  
Plaintiff,

THE LYLE BERMAN FAMILY PARTNERSHIP, NEIL  
I. SELL, in his capacity as Trustee for the Julie Berman  
Irrevocable Trust U/TA 8/9/89, the Bradley Berman  
Irrevocable Trust U/TA 8/9/89, the Jessie Lynn Berman  
Irrevocable Trust U/TA 8/9/89 and the Amy Berman  
Irrevocable Trust U/TA 8/9/89, STANLEY TAUBE, in his  
capacity as Trustee for the Julie Berman Irrevocable Trust  
U/TA 8/9/89, the Bradley Berman Irrevocable Trust U/TA  
8/9/89, the Jessie Lynn Berman Irrevocable Trust U/TA  
8/9/89 and the Amy Berman Irrevocable Trust U/TA  
8/9/89, JULIE BERMAN IRREVOCABLE TRUST U/TA  
8/9/89, in its capacity as Partner of The Lyle Berman  
Family Partnership, BRADLEY BERMAN  
IRREVOCABLE TRUST U/TA 8/9/89, in its capacity as  
Partner of The Lyle Berman Family Partnership, JESSIE  
LYNN BERMAN IRREVOCABLE TRUST U/TA 8/9/89,  
in its capacity as Partner of The Lyle Berman Family  
Partnership, AMY BERMAN IRREVOCABLE TRUST  
U/TA 8/9/89, in its capacity as Partner of The Lyle Berman  
Family Partnership, JULIE BERMAN, BRADLEY  
BERMAN, JESSIE LYNN BERMAN, and AMY  
BERMAN,

Defendants.

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

Adv. Pro. No. 10-05071 (SMB)

DECLARATION OF ELISE S. FREJKA

I, ELISE S. FREJKA declare as follows:

1. I am a member of the firm of Frejka PLLC and a member of the Bar of this Court.

Pursuant to Local Civil Rule 1.4 of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I submit this declaration in support of the accompanying notice and proposed order substituting Frejka PLLC for Kramer Levin Naftalis & Frankel LLP as counsel for Lyle Berman Family Partnership, LLP s/h/a The Lyle Berman Family Partnership, Neil Sell, in his capacity as Trustee for the Julie Berman Irrevocable Trust U/TA 8/9/89, the Bradley Berman Irrevocable Trust U/TA 8/9/89, the Jessie Lynn Berman Irrevocable Trust U/TA 8/9/89, and the Amy Berman Irrevocable Trust U/TA 8/9/89, Stanley Taube, Julie Berman Irrevocable Trust U/TA 8/9/89, Bradley Berman Irrevocable Trust U/TA 8/9/89, Jessie Lynn Berman Irrevocable Trust U/TA 8/9/89, and Amy Berman Irrevocable Trust U/TA 8/9/89, each in their capacity as a Partner of The Lyle Berman Family Partnership, Julie Berman, Bradley Berman, Jessie Lynn Berman, and Amy Berman (the "Defendants") in the above-captioned adversary proceeding. I also have read Local Bankruptcy Rule 2090-1 of the Local Rules of the United States Bankruptcy Court for the Southern District of New York.

2. The Defendants have requested and consent to this substitution of counsel.

3. It is not expected that any delay or prejudice will result to any party in this proceeding from this substitution of counsel.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York  
March 23, 2015

By: /s/ Elise S. Frejka  
Elise S. Frejka